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77. (Added) The barbecue grill assembly of claim 71 wherein the free portion of the projection has a boss that receives the biasing force from the biasing means.
78. (Added) The barbecue grill assembly of claim 71 wherein the upper frame member has an end and the lower frame member has an end, and wherein in the joined position the upper and lower frame assemblies are joined in an end-to-end configuration. - -

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**REMARKS**

Claims 1-64 are pending in this Application. By this Response, claims 1, 13, 18, 20-24, 28, 29, 37, 43, 44, and 50 have been amended, claims 58-64 have been canceled, and claims 65-78 have been added. As a result, claims 1-57 and 65-78 are at issue in this Application.

**CLAIM REJECTION - 35 U.S.C. §103**

In paragraph three of the Office Action, the Examiner rejected claims 1-64 under 35 U.S.C. §103 as allegedly obvious in view of U.S. Patent Nos. 5,140,973 to Home ("Home '973") and 5,623,866 to Home ("Home '866"). Applicants respectfully traverse this rejection.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all of the claim limitations. The examiner bears the initial burden on factually supporting any prima facie conclusion of obviousness. See MPEP § 2142; *In re Vaack*, 20 USPQ.2d 1438 (Fed. Cir. 1991).

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**A. There is No Suitable Motivation to Combine the Cited References**

Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness because there is no suggestion or motivation to combine Home '973 with Home '866. On page 4 of the Office Action, the Examiner states that "...it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the assembly of Home '973 to incorporate the means for joining upper and lower assemblies such that outer walls of the assemblies remain in planar alignment as shown in Home '866." The Examiner's statement fails to identify a proper motivation to combine the primary reference, Home '973, with the secondary reference, Home '866. The well-settled case law requires that the suggestion or motivation to combine the references must be found in the references themselves, and that it is improper to rely on the level of skill in the art to combine the cited references without some objective reason to combine the teachings of the references. *See* MPEP 2143.01; *Al-Site Corp. v. VSI Int'l. Inc.*, 174 F.3d 1308, 50 USPQ.2d 1161 (Fed. Cir. 1999). Absent the showing of a suggestion or a motivation, the Examiner's *prima facie* case of obviousness fails with respect to claims 1-64.

Moreover, the burden rests with the Examiner to show that the prior art relied upon, coupled with the knowledge generally available in the art at the time of the invention, contains a suggestion or incentive motivating one of ordinary skill in the art to combine the references. *In re Fine*, 837 F.2d 1071, 1074, 5 U.S.P.Q.2d 1596, 1599 (Fed. Cir. 1988); *Ex parte Skinner*, 2 U.S.P.Q.2d 1788, 1790 (BPAI 1986) ("[w]hen the incentive to combine the teachings of the references is not readily apparent, it is the duty of the examiner to explain why combination of the reference teachings is proper"). In this case, neither Home '973 nor Home '866 suggests combining their teachings and the Examiner has not explained why such proposed combination is proper.

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**B. The Proposed Combination Improperly Alters the Principle of Operation**

If the proposed combination of references changes the principle of operation of the either reference, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. See MPEP 2143I.02; *In re Ratti*, 123 USPQ 349 (CCPA 1959). Here, the Examiner has attempted to combine the teachings of the secondary reference, Home '866, with Home '973 without fully considering the effect of the combination on the second element of the *prima facie* case - - the expectation of success. See MPEP § 2142

On page 4 of the Office Action, the Examiner argues that the modification of Home '973 to include the H-shaped support bracket 1 of Home '866 to join the upper and lower assemblies would have been obvious. This combination is flawed for at least three reasons. First, the support bracket 1 of Home '866 is specifically designed and dimensioned to be directly connected to the cooking chamber 2 (see FIG. 3), not between the upper and lower leg assemblies as contemplated by the Examiner. Second, the upper and lower leg assemblies of Home '973 are not configured to receive the H-shaped support bracket 1. Instead, as clearly shown in FIG. 3 of Home '973, the lower leg assembly is designed to be received by the upper leg assembly. Third, the addition of the Home '866 support bracket 1 would conflict with the operation of the leaf spring 4 positioned in the lower leg of Home '973. Thus, the modification proposed by the Examiner would require both the complete re-design of the lower leg assembly and the removal of the upper leg frame assembly in Home '973. Because the Examiner's proposed combination of Home '973 and Home '866 dramatically changes the principle of operation of the primary reference, the *prima facie* case of obviousness has not been established.

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**C. The Combination of References Does Not Disclose or Suggest All Limitations**

As an additional ground for reversing the Section 103 rejection, Applicants submit that the combination of Home '973 and Home '866 does not disclose or suggest all limitations of the claims.

**1. Claims 1-17**

Amended independent claim 1 is directed to a barbecue grill assembly and requires, among other things, an upper assembly, the upper assembly having a cooking chamber; a lower assembly formed from a plurality of lower frame members; at least one projection on one of either the lower assembly or the upper assembly, the projection having a first portion and a second portion; and, at least one receiver on the other of said lower assembly or said upper assembly, the receiver having an inner surface, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver, the first portion of the projection is biased into contact with the inner surface of the receiver.

Applicants submit that the combination of Home '973 and Home '866 does not render amended independent claim 1 obvious because the combination does not teach or suggest a *projection with a first portion that is biased into contact with the inner surface of the receiver*. On page 2 of the Office Action, the Examiner construed Home '973 as having a projection (not labeled or numbered in the FIGS.) defined by the upper portion of the lower post 32 and a receiver (again, not labeled or numbered) defined by the lower portion of the upper post 31. Also, the V-shaped leaf spring 4 and the protrusion 41 attached thereto were construed by the Examiner as a "biasing and locking means...to maintain the projection of a lower post 32 in contact with an inner surface of the receiver of a leg of the upper assembly by projecting through" apertures 310, 320. While the spring 4 and the protrusion 41 may act to secure the connection between the upper post 31 and the lower

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post 32, in no way do the spring 4 and protrusion 41 function in the manner required by amended claim 1. Specifically, amended claim 1 requires the first portion of the projection to be biased into contact with the inner surface of the receiver. Home '973 does not operate in the claimed manner - instead, the leaf spring 4 exerts a force on the protrusion 41 whereby the protrusion 41 is inserted into hole 310, 320 to secure the upper and lower posts 31, 32. In addition, "the upper post 31 slides along the lower post 32" when the projection 31 is adjusted between the holes 310, 320. (Home '973, Col. 2, lns. 43-50). One of ordinary skill recognizes that neither the spring 4/protrusion 41 nor the lower post 32 are biased into contact with the inner surface of the upper post 31, as required by claim 1. As for Home '866, on page 3 of the Office Action, the Examiner construed the H-shaped support bracket 1 of Home '866 as an upper assembly and the lower leg 3 as a lower assembly. The Examiner has not identified any structure in Home '866 that corresponds to the claimed projection or any structure that is capable of being biased in the manner required by claim 1. Consequently, the combination of Home '973 and Home '866 neither discloses nor suggests all of the limitations of amended claim 1 and as a result, this claim is patentably distinct.

Claim 2 depends from amended claim 1 and requires that *the projection is positioned at a lower portion of the cooking chamber*. Claim 3 depends from amended claim 1 and requires that *the projection is positioned at a lower portion of the cooking chamber*. Claim 4 depends from amended claim 1 and requires that *the projection depend from a lower portion of the cooking chamber*. Claim 5 also depends from amended claim 1 and requires that *the receiver depend from a lower portion of the cooking chamber*. The Examiner did not address any of these claims in the Office Action. Regardless, neither Home '973 nor Home '866 disclose or suggest any structure depending from the lower portion of the cooking chamber. Specifically, in Home '973, no cooking chamber is disclosed

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or shown. As shown in FIG. 3 of Home '866, a cooking chamber 2 is shown, however, no structure is positioned at or depends from the bottom 21 of the cooking chamber 2. Thus, the combination of Home '973 and Home '866 does not disclose or suggest all limitations of claims 2-5. For this reason and the reasons explained above with respect to claim 1, dependent claims 2-5 are patentably distinct and not rendered obvious by the combination of Home '973 and Home '866.

Claim 13 depends from amended claim 1 and requires the biasing means to be *a threaded fastener*. Neither Home '973 nor Home '866 disclose or suggest this structure. In fact, Home '973 discloses only a leaf spring 4 and protrusion 41, while Home '866 fails to disclose a biasing means or a threaded fastener as the biasing means. For this reason and the reasons explained above with respect to claim 1, dependent claim 13 is patentably distinct and not rendered obvious by the combination of Home '973 and Home '866.

Claims 6-12 and 14-17 depend from independent claim 1 and thereby require all of the limitations of that claim. For the reasons stated in the preceding paragraphs with respect to claim 1, claims 6-12, and 14-17 are patentably distinct and are not rendered obvious by the combination of Home '973 and Home '866.

## **2. Claims 18-23**

Amended independent claim 18 is directed to a barbecue grill assembly and requires an upper assembly formed from at least one upper frame member, the upper assembly adapted to support a cooking chamber, the upper frame member having an end with an outer wall surface; a lower assembly formed from at least one lower frame member, the lower frame member having an end with an outer wall surface; at least one projection on one of either the upper assembly or the lower assembly; and, at least one receiver on the other of said upper assembly or said lower assembly, the

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projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver the outer wall surface of the upper frame member is in planar alignment with the outer wall surface of the lower frame member.

The combination of Home '973 and Home '866 does not render amended independent claim 18 obvious because the combination does not teach or suggest *planar alignment of the outer wall surface of the upper and lower frame members, where the outer wall surface is defined by the end of the frame member*. As for Home '973, near the bottom of page 3 of the Office Action, the Examiner recognized that Home '973 does not disclose planar alignment of the outer wall surfaces. This is correct because the upper and lower legs 31, 32 of Home '973 have distinctly different dimensions which enable the end of lower leg 32 to be positioned within the upper leg 31 and thereby precluding planar alignment of the outer wall surfaces (see FIG. 3). As for Home '866, on page 4 of the Office Action, the Examiner stated that the H-shaped support bracket 1 and lower leg 3 "fit together such that the outer wall surfaces remain in planar alignment." Amended claim 18 requires the upper and lower frame members to each have a terminal end with an outer peripheral wall surface that are in planar alignment when the projection is received by the receiver. As shown in FIGS. 3 and 5 of Home '866, the terminal end of the vertical pillar 11 of the support bracket 1 has a stepped configuration causing the terminal end to have a reduced outer peripheral wall surface compared to that of the middle and upper portions of the bracket 1. Described in a different manner, the dimensions, including the perimeter, of the terminal end of the pillar 11 are less than the dimensions of the middle portion of the pillar 11 due to the notched configuration of the pillar 11. FIGS. 1 and 2 show that three of the four outer wall surfaces of the terminal end of the bracket 1 are stepped or notched. When the bracket 1 is connected to the lower leg 3, the terminal end is

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positioned entirely within the lower leg 3 thereby causing the outer peripheral wall surface of the bracket 1 to not be in planar alignment with the outer peripheral wall surface of the end of lower leg 3. Thus, the outer peripheral wall surfaces are misaligned and the combination of Home '973 and Home '866 neither discloses nor suggests all of the limitations of amended claim 18. Accordingly, claim 18 is patentably distinct.

Claim 19 depends from amended claim 18 and further requires means for biasing a first portion of the projection *into engagement with an inner surface of the receiver* wherein the outer wall surfaces remain in planar alignment. As explained above with respect to independent claim 1, the combination of Home '973 and Home '866 does not disclose or suggest any structure that biases the projection into engagement with the inner surface of the receiver. For this reason and the reasons detailed above with respect to claim 18, dependent claim 19 is patently distinct and not rendered obvious by the combination of Home '973 and Home '866.

Amended claims 20-23 depend from independent claim 18 and thereby require all of the limitations of that claim. For the reasons stated above for claim 18, claims 20-23 are patentably distinct and are not rendered obvious by the combination of Home '973 and Home '866.

### 3. Claims 24-28

Amended claim 24 is directed to a barbecue grill assembly and requires an upper assembly formed from at least one upper frame member, the upper frame member having an end with an outer dimension; a cooking chamber connected to the upper frame member; a lower assembly formed from at least one lower frame member, the lower frame member having an end with an outer dimension;



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at least one engagement assembly that secures the upper frame member and lower frame member in an end-to-end configuration wherein the outer dimension of the upper frame member is substantially aligned with outer dimension of the lower frame member.

The combination of Home '973 and Home '866 does not render amended independent claim 24 obvious because the combination does not teach or suggest *an engagement assembly that (i) secures the terminal ends of the upper frame member and lower frame member in an end-to-end configuration (ii) wherein the outer dimension of the upper frame member is substantially aligned with outer dimension of the lower frame member*. First, neither Home '973 nor Home '866 discloses an engagement assembly that secures the terminal ends of the upper and lower members in an end-to-end configuration. Claim 24's end-to-end configuration of the terminal ends is clearly shown in FIGS. 1-3, 6-9 of the Application and explained at page 19, lns. 20-22 and page 20, lns. 6-15. Referring to FIG. 3 of Home '973, the upper leg 31 and the lower leg 32 are not secured in an end-to-end configuration - - instead, the end of the lower leg 32 is positioned within upper leg 31 whereby the legs 31, 32 are secured in overlapping configuration. As shown in FIGS. 5 and 6 of Home '866, the end of the H-shaped bracket 11 is positioned entirely within the lower leg 3 when the bracket 11 is connected to the lower leg 3 thereby precluding the end-to-end configuration required by claim 24. Second, neither Home '973 nor Home '866 discloses an engagement assembly that secures the upper and lower frame members wherein the outer dimension of the upper frame member is substantially aligned with the outer dimension of the lower frame member. Consistent with the reasons provided above with respect to claim 18, the combination of Home '973 and Home '866 fails to disclose or suggest this limitation of amended claim 24. Accordingly, independent claim 24 is patently distinct and not rendered obvious by the combination of Home '973 and Home '866.

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Claims 25-27 depend from amended independent claim 24 and thereby require all of the limitations of that claim. For the reasons stated above for claim 24 and claim 1 (biasing), claims 25-27 are patentably distinct and are not rendered obvious by the combination of Home '973 and Home '866.

Claim 28 depends from amended independent claim 24 and requires that the outer dimension of the upper and lower frame members is the perimeter of the terminal end. FIG. 3 of Home '973 shows that the perimeter of the terminal ends of the upper and lower legs 31, 32 are not substantially aligned. Similarly, FIG. 5 of Home '866 shows that the perimeter of the terminal ends of the bracket 1 and the lower leg 3 are misaligned. For this reason and the reasons stated above with respect to claim 24, claim 28 is patentably distinct.

#### 4. Claims 29-36

Amended independent claim 29 is directed to a frame for an outdoor cooking device and requires an upper assembly formed from a plurality of upper frame members; a lower assembly formed from a plurality of lower frame members; at least one projection on one of either the lower assembly or the upper assembly, the projection having a first portion and a second portion; and, at least one receiver on the other of said lower assembly or said upper assembly, the receiver having an inner surface, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver, the first portion of the projection is biased into contact with the inner surface of the receiver.

Amended claim 29 is similar to independent claim 1. However, claim 29 is directed to a frame for an outdoor cooking device and not the barbecue grill assembly of claim 1. As explained above with respect to claim 1, the combination of Home '973 and Home '866 does not teach or

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suggest *a projection with a first portion that is biased into contact with the inner surface of the receiver*. Consequently, amended claim 29 is not rendered obvious and is patentably distinct.

Claims 30-36 depend from amended independent claim 29 and thereby require all of the limitations of that claim. For the reasons stated above for claim 29, claims 30-36 are patentably distinct and are not rendered obvious by the combination of Home '973 and Home '866.

#### 5. Claims 37-42

Amended independent claim 37 is directed to a frame for an outdoor cooking device and requires an upper assembly formed from a plurality of upper frame members, each frame member having a terminal end with an outer wall surface; a lower assembly formed from a plurality of lower frame members, each frame member having an end with an outer wall surface; at least one projection on one of either the upper assembly or the lower assembly; and, at least one receiver on the other of said upper assembly or said lower assembly, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver the outer wall surface of the upper frame member is in planar alignment with the outer wall surface of the lower frame member.

Amended claim 37 is similar to independent claim 18. However, claim 37 is directed to a frame for an outdoor cooking device and not the barbecue grill assembly of claim 18. The combination of Home '973 and Home '866 does not teach or suggest *planar alignment of the outer wall surface of the upper and lower frame members, where the outer wall surface is defined by the terminal end of the frame member*. For each of the reasons explained above with respect to claim 18, amended claim 37 is not rendered obvious by the combination and is patentably distinct.

Claim 38 depends from amended claim 37 and further requires means for biasing a first portion of the projection *into engagement with an inner surface of the receiver* wherein the outer

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wall surfaces remain in planar alignment. As explained above with respect to claim 19, the combination of Home '973 and Home '866 does not disclose or suggest any structure that biases the projection into engagement with the inner surface of the receiver. For this reason and the reasons set forth with respect to independent claim 37, dependent claim 38 is patently distinct and not rendered obvious by the combination of Home '973 and Home '866.

Claims 39-42 depend from amended independent claim 37 and thereby require all of the limitations of that claim. For the reasons stated above for claim 37, claims 39-42 are patentably distinct and are not rendered obvious by the combination of Home '973 and Home '866.

#### 6. Claims 43-49

Amended independent claim 43 is directed to a frame assembly for an outdoor cooking device and requires a first frame assembly; a second frame assembly extending substantially lateral to the first frame assembly; at least one projection on one of either the first assembly or the second assembly, the projection having a first portion and a second portion; and, at least one receiver on the other of said first frame assembly or said frame second assembly, the receiver having an inner surface, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver, the first portion of the projection is biased into contact with the inner surface of the receiver.

The combination of Home '973 and Home '866 does not render amended claim 43 obvious because the combination does not teach or suggest *a second frame assembly extending substantially lateral to the first frame assembly*. Applicants note that the Examiner did not provide a basis in the Office Action for the rejection of claim 43. Regardless, Home '973 only discloses two generally vertical frame assemblies 31, 32 and not a lateral frame assembly having either a projection or a

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receiver. Similarly, Home '866 does not disclose a lateral frame assembly having either a projection or a receiver. Neither Home '973 nor Home '866 remotely contemplates the lateral frame assembly as required by claim 43. Accordingly, amended claim 43 is not rendered obvious by the combination of Home '973 and Home '866 and the claim is patentably distinct.

As another ground for overcoming the rejection of claim 43, Applicants submit that the combination of Home '973 and Home '866 fails to disclose or suggest *a projection with a first portion that is biased into contact with the inner surface of the receiver*. For each of the reasons explained above with respect to claim 1, amended claim 43 is not rendered obvious by the combination of Home '973 and Home '866 and as a result, is patentably distinct.

Amended claim 44 depends from claim 43 and requires that the biasing of the first portion of the projection into contact with the inner surface of the receiver provides *cantilever support* of the second frame assembly. Neither Home '973 nor Home '866 disclose or suggest biasing any structure to provide cantilever support. For this reason and the reasons explained above with respect to independent claim 43, claim 44 is not rendered obvious by the combination of Home '973 and Home '866.

Claims 45-49 depend from amended independent claim 43 and thereby require all of the limitations of that claim. For the reasons stated above for claim 43, claims 45-49 are patentably distinct and are not rendered obvious by the combination of Home '973 and Home '866.

#### **7. Claims 50-57**

Amended independent claim 50 is directed to a frame assembly for an outdoor cooking device and requires a first frame assembly formed from a plurality of first frame members, each

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frame member having a terminal end with an outer wall surface; a second frame assembly extending substantially lateral to the first frame assembly, the second frame assembly formed from a plurality of frame members, each frame member having a terminal end with an outer wall surface; at least one projection on one of either the first assembly or the second assembly; and, at least one receiver on the other of said first frame assembly or said frame second assembly, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver the outer wall surface of the first frame member is in planar alignment with the outer wall surface of the second frame member.

The combination of Home '973 and Home '866 does not teach or suggest *a second frame assembly extending substantially lateral to the first frame assembly*. As explained above with respect to claim 43, neither Home '973 nor Home '866 remotely contemplates a lateral frame assembly. Consequently, amended claim 50 is patentably distinct and not rendered obvious by the combination of references.

As another ground for overcoming the rejection of claim 50, Applicants submit that the combination of Home '973 and Home '866 fails to disclose or suggest *planar alignment of the outer wall surface of the upper and lower frame members, where the outer wall surface is defined by the terminal end of the frame member*. For each of the reasons explained above with respect to claim 18, amended claim 50 is not rendered obvious by the combination of Home '973 and Home '866.

Claim 51 depends from amended claim 50 and requires means for biasing a first portion of the projection *into engagement with an inner surface of the receiver* wherein the outer wall surfaces remain in planar alignment. As explained above with respect to independent claim 1, the

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combination of Home '973 and Home '866 fails to disclose or suggest this aspect of claim 51. For this reason and the reasons detailed for independent claim 50, claim 51 is patentably distinct.

Claim 52 depends from amended claim 50 and requires that the biasing of the first portion of the projection into contact with the inner surface of the receiver provides *cantilever support* of the second frame assembly. Neither Home '973 nor Home '866 disclose or suggest biasing any structure to provide cantilever support. For this reason and the reasons explained above with respect to independent claim 50, claim 52 is not rendered obvious by the combination of Home '973 and Home '866.

Claims 53-57 depend from amended independent claim 50 and thereby require all of the limitations of that claim. For the reasons stated above for claim 50, claims 53-57 are patentably distinct and are not rendered obvious by the combination of Home '973 and Home '866.

#### **NEW CLAIMS**

Applicants have added claims 65-78. Applicants submit that these claims are fully supported by the written disclosure and figures in the Application. Further, Applicants submit these claims are allowable, as the recited structures are not taught or disclosed by the cited references.

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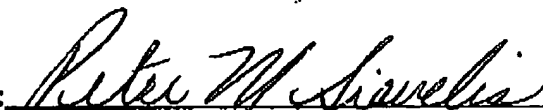
**CONCLUSION**

In view of the foregoing, Applicants believe the Application is in a condition for allowance, and respectfully request early notice of the same. Applicants request that the Examiner call the undersigned attorney if the Examiner has any questions concerning this Response, or if it will expedite the progress of this Application.

Respectfully submitted,

Date: June 23, 2003

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document is being facsimile transmitted to the Patent and Trademark Office, to the attention of Examiner Josiah Cocks, Art Unit No. 3743, on June 23, 2003, to Fax No. 703/872-9302.

  
Gillian Gardner/175165.2

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**Attachment A: Marked-Up Claims for Response to the First Office Action**

1. (Amended) A barbecue grill assembly comprising:
  - an upper assembly, the upper assembly having a cooking chamber;
  - a lower assembly formed from a plurality of lower frame members;
  - at least one projection on one of either the lower assembly or the upper assembly, the projection having a first portion and a second portion; and,
  - at least one receiver on the other of said lower assembly or said upper assembly, the receiver having an inner surface, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver, [the projection having a first portion and a second portion,] the first portion [adapted to be] of the projection is biased into contact with the inner surface of the receiver.
13. (Amended) The barbecue grill assembly of claim 10, wherein the biasing means is a [pin/fastener/]threaded fastener.
18. (Amended) A barbecue grill assembly comprising:
  - an upper assembly formed from [a plurality of] at least one upper frame member[s], [the upper frame members adapted to support a cooking chamber, each of] the upper frame member[s] having a[n] terminal end with an outer peripheral wall surface, wherein the upper assembly is adapted to support a cooking chamber;
  - a lower assembly formed from [a plurality of] at least one lower frame member[s], [each of] the lower frame member[s] having a[n] terminal end with an outer peripheral wall surface;
  - at least one projection on one of either the upper assembly or the lower assembly; and,

at least one receiver on the other of [said] the upper assembly or [said] the lower assembly, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver the outer peripheral wall surface of the upper frame member is in planar alignment with the outer peripheral wall surface of the lower frame member.

20. (Amended) The barbecue grill assembly of claim 18, wherein the projection is positioned on one of the upper frame members.
21. (Amended) The barbecue grill assembly of claim 18, wherein the receiver is positioned on one of the lower frame members.
22. (Amended) The barbecue grill assembly of claim 18, wherein the projection is positioned on one of the lower frame members.
23. (Amended) The barbecue grill assembly of claim 18, wherein the receiver is positioned on one of the upper frame members.
24. (Amended) A barbecue grill assembly comprising:

an upper assembly formed from at least one upper frame member, the upper frame member having a[n] terminal end[, the upper frame member having] with an outer dimension;

a cooking chamber connected to the upper [frame member] assembly;

a lower assembly formed from at least one lower frame member, the lower frame member having a[n] terminal end[, the lower frame member having] with an outer dimension;

at least one engagement assembly [adapted to] that secures the terminal ends of the upper frame member and lower frame member in an end-to-end configuration wherein

the outer dimension of the upper frame member is substantially aligned with outer dimension of the lower frame member.

28. (Amended) The barbecue grill assembly of claim 27, wherein the outer dimension of the upper frame member is the perimeter of said terminal end of the upper frame member and the outer dimension of the upper frame member is the perimeter said terminal end of the frame member.

29. (Amended) A frame for an outdoor cooking device comprising:

an upper assembly formed from a plurality of upper frame members,  
a lower assembly formed from a plurality of lower frame members;  
at least one projection on one of either the lower assembly or the upper assembly, the projection having a first portion and a second portion; and,  
at least one receiver on the other of said lower assembly or said upper assembly, the receiver having an inner surface, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver[, the projection having a first portion and a second portion,] the first portion of the receiver is [adapted to be] biased into contact with the inner surface of the receiver.

37. (Amended) A frame for an outdoor cooking device comprising:

an upper assembly formed from a plurality of upper frame members, each [of the upper] frame member[s] having a[n] terminal end with an outer wall surface;  
a lower assembly formed from a plurality of lower frame members, each [of the] frame member[s] having a[n] terminal end with an outer wall surface;  
at least one projection on one of either the upper assembly or the lower assembly; and,

at least one receiver on the other of said upper assembly or said lower assembly, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver the outer wall surface of the upper frame member is in planar alignment with the outer wall surface of the lower frame member.

43. (Amended) A frame assembly for an outdoor cooking device, the frame assembly comprising:

a first frame assembly;

a second frame assembly extending substantially lateral to the first frame assembly;

at least one projection on one of either the first assembly or the second assembly, the projection having a first portion and a second portion; and,

at least one receiver on the other of said first frame assembly or said second frame [second] assembly, the receiver having an inner surface, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver, [the projection having a first portion and a second portion,] the first portion [adapted to be] of the projection is biased into contact with the inner surface of the receiver.

44. (Amended) The frame assembly of claim 43, wherein the biasing of the first portion of the projection into contact with the inner surface of the receiver provides cantilever support of the second frame assembly.

50. (Amended) A frame assembly for an outdoor cooking device, the frame assembly comprising:

a first frame assembly formed from a plurality of first frame members, each [of the] frame member[s] having a(n) terminal end with an outer wall surface;

a second frame assembly extending substantially lateral to the first frame

assembly, the second frame assembly formed from a plurality of [second] frame members, each [of the] frame member[s] having a[n] terminal end with an outer wall surface;

at least one projection on one of either the first assembly or the second assembly; and,

at least one receiver on the other of said first frame assembly or said frame second assembly, the projection and the receiver cooperatively dimensioned such that when the projection is received by the receiver the outer wall surface of the first frame member is in planar alignment with the outer wall surface of the second frame member.